

Exhibit D

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff
Investment Securities LLC

Plaintiff

Case Number

vs.

Bankruptcy Court Adv. Pro. No. 11-02493

ABU DHABI INVESTMENT AUTHORITY

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff
Investment Securities LLC

Plaintiff

Case Number

vs.

22-cv-08741

THE PUBLIC INSTITUTION FOR SOCIAL
SECURITY

Defendant

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

The Public Institution for Social Security appealed as of right the Bankruptcy Court's denial of its motion to dismiss under the Foreign Sovereign Immunities Act in a companion adversary proceeding, and has moved for leave to appeal additional grounds on which the Bankruptcy Court denied the motion to dismiss. The motion for leave to appeal those additional grounds to this Court is pending.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The present case comprises an appeal of the Bankruptcy Court's denial of Abu Dhabi Investment Authority's motion to dismiss under the Foreign Sovereign Immunities Act, which is appealable as of right under the collateral order doctrine. While Abu Dhabi Investment Authority does not intend to seek leave to appeal additional grounds on which its motion was denied, as the Public Institution for Social Security has done, the sovereign immunity issue presented by this appeal is the same as that in the earlier-filed case.

Signature: /s/ Marc L. Greenwald
Quinn Emanuel Urquhart & Sullivan LLP

Date: 11/16/2022

Firm: _____